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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3627
Confirmation No.: 1918
Application No.: 09/903,001
Invention: AUDIO/VIDEO AUTOMATED
PAYMENT FACILITY
Applicant: Mark Pratt et al.
Filed: July 11, 2001
Attorney
Docket: 37837-75702
Examiner: Florian M. Zeender

ELECTRONICALLY
SUBMITTED ON:
DECEMBER 19, 2007

DECLARATION OF DAVID HARPOLD UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, David Harpold, a citizen of the United States, do declare and say that:

1. I am an inventor on the captioned application for patent filed on July 11, 2001. I understand that the Examiner has rejected claims 1-13 as being obvious over U.S. Patent Application Publication No. 2003/0004792 A1 of Townzen et al. (hereinafter simply "Townzen") in view of U.S. Patent No. 6,329,930. I also understand that Townzen published from an application filed thirteen (13) days before the filing date of the above-captioned application (i.e., Townzen was filed on June 29, 2001).

2. The invention, as defined by claims 1-13 of the captioned application, recites an automated payment system for a one or more parking facilities. The invention described and claimed in the captioned application was conceived of and reduced to practice in the United States prior to June 29, 2001.

3. Exhibit A attached hereto includes photocopies of two (2) sketches of the automated payment terminal that is described in detail in the above-captioned application as filed. See, for example, FIG. 1 of the above-captioned application which is a numbered version of the second sketch included in Exhibit A. Each of the sketches in Exhibit A was prepared by me or my co-inventor. The sketches in Exhibit A have been redacted to remove the date and other confidential information. In each case, the date of each of the sketches was earlier than June 29, 2001.

4. Exhibit B attached hereto includes a photocopy of an Abstract which describes a device for cashiered exiting from parking facilities without the need for employees at the exit lane. The Abstract makes reference to the first sketch included in Exhibit A through the use of reference numerals, and, as such, further describes the automated payment terminal that is described in detail in the above-captioned application. The content of the Abstract in Exhibit B was prepared by me or my co-inventor. The Abstract in Exhibit B has been redacted to remove the date and other confidential information. The date of the Abstract was earlier than June 29, 2001.

5. Exhibit C attached hereto includes a photocopy of a schematic which describes a system of multiple automated payment terminals in communication with a remote central control room. Such an arrangement is described in detail in the above-captioned application as filed. See, for example, FIGS. 2 and 3 and the associated description. The schematic was prepared by a CAD operator under the direction of me or my co-inventor. The schematic in Exhibit C has been redacted to remove the date and other confidential information. The date of the schematic was earlier than June 29, 2001.

6. Accordingly, the attached Exhibits document that the invention of an automated payment system for one or more parking facilities, as recited in claims 1-13, was conceived of and reduced to practice in the United States before June 29, 2001.

7. I declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, or any patent issuing thereon.

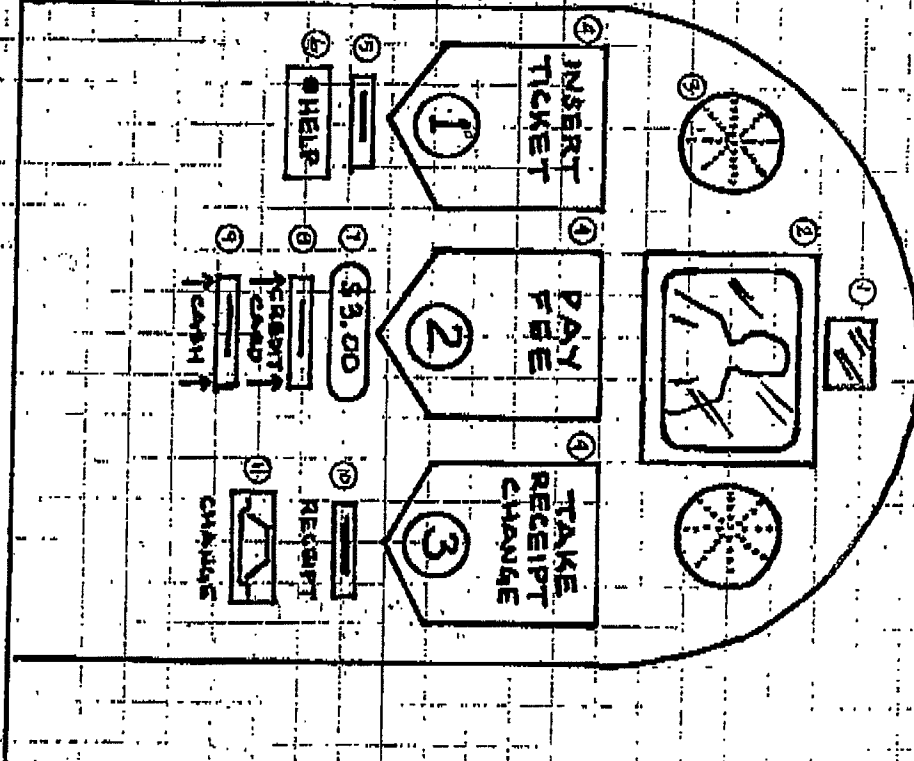
Dated: 18 Dec 2007By: 

David Harpold

Exhibit A
(2 pages)

Tech Park Device Components

- 1 Digital Video Camera
- 2 Standard Desktop Computer and Monitor
- 3 Communication Speakers
- 4 Back-It, Sequentially Displayed Directions
- 5 Ticket Reader
- 6 Help Button
- 7 Fee Display
- 8 Credit Card Reader
- 9 Cash Acceptor
- 10 Receipt Dispenser
- 11 Change Dispenser



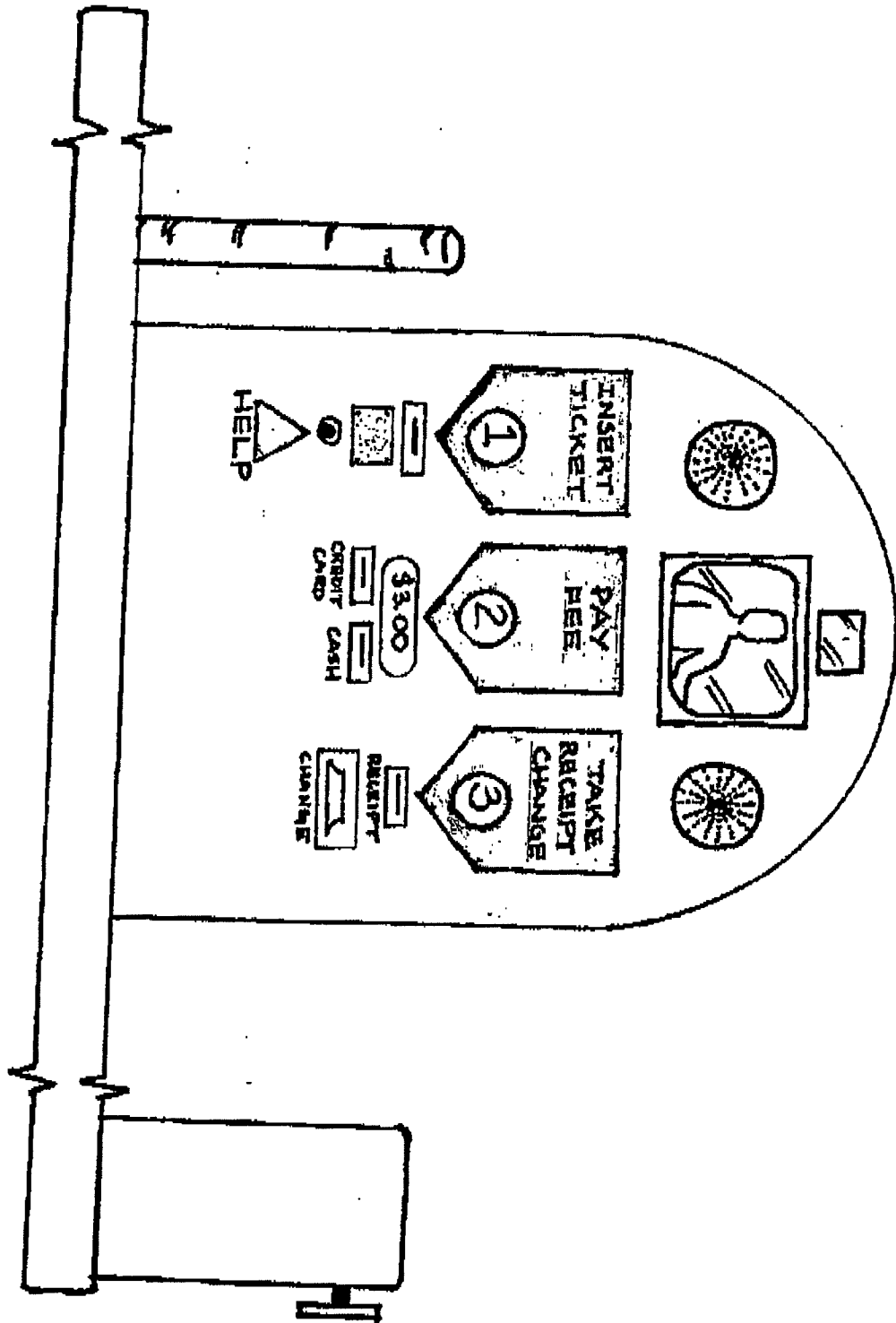


Exhibit B

(1 page)

ABSTRACT

The device allows for cashiered exiting from parking facilities without the need for employees in the exit lane. The device contains (1) a digital video teleconferencing device which will transmit an image of the parking patron to an observation station. An image of the person manning the observation post is transmitted onto device (2) so that the parking patron has the feeling of direct human contact should a problem occur with his / her transaction. In addition, device (3) allows for verbal communication between the parking patron and the observation post. The parking patron will enter the exit lane and queue to the exit device. At that time the directional unit #1 (4) will be activated via a detection device located in the floor of the drive lane. The unit (4) will be back lit, with each of the three directional units activating sequentially and flashing in four second intervals, three seconds on, one second off. The parking patron is instructed to insert their ticket into the bar-code ticket reader (5) at which time the device reads the ticket. After the ticket has been read and priced by device (5), directional unit #1 (4) will deactivate and directional unit #2 (4) will activate instructing the parking patron as to the amount of the parking charge. A fee display (7) will show the charge to the customer. The parking patron has the option of paying by credit card via the credit card acceptor (8) or the cash acceptor (9). Once either option has been chosen, directional unit #2 (4) deactivates and directional unit #3 (4) activates. The parking patron may take their receipt from the device (10) or collect their change if they chose to pay with cash. The change dispenser (11) will remit coins in \$1.00 and \$.25 increments. Once all transactions are completed the device will send a signal to open the barrier gate, allowing exit from the facility.

Exhibit C
(1 page)

